

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

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In re Application of:	:	Examiner: Ojiako K. Nwugo
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Arne BARTELS	:	
	:	
For: METHOD AND DEVICE FOR	:	
MONITORING BLIND SPOTS OF A	:	
MOTOR VEHICLE	:	
	:	Art Unit: 2612
Filed: September 8, 2005	:	
	:	
Serial No.: 10/531,089	:	
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Date: September 30, 2008
Signature: /Julie Forero/

APPEAL BRIEF PURSUANT TO 37 C.F.R. § 41.37

SIR:

On April 30, 2008, Appellants filed a Notice of Appeal from the last decision of the Examiner contained in the Final Office Action dated January 11, 2008 in the above-identified patent application.

In accordance with 37 C.F.R. § 41.37, this brief is submitted in support of the appeal of the final rejections of claims 13 to 24, 26 and 27. For at least the reasons set forth below, the final rejections of claims 13 to 24, 26 and 27 should be reversed.

1. REAL PARTY IN INTEREST

The real party in interest in the present appeal is VOLKSWAGEN AG of Wolfsburg, in the Federal Republic of Germany, which is the assignee of the entire right, title and interest in and to the present application.

2. RELATED APPEALS AND INTERFERENCES

There are no other prior or pending appeals, interferences or judicial proceedings known by the undersigned, or believed by the undersigned to be known to Appellants or the assignee, VOLKSWAGEN AG, “which may be related to, directly affect or be directly affected by or have a bearing on the Board’s decision in the pending appeal.”

3. STATUS OF CLAIMS

Claims 1 to 12 and 25 have been canceled.

Claims 13 to 24, 26 and 27 are pending.

Claims 13, 15 to 22, 26 and 27 stand rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent Application Publication No. 2002/0183929 (“Tsuji et al.”) and U.S. Patent No. 6,737,964 (“Samman et al.”).

Claim 14 stands rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Tsuji et al., Samman et al. and U.S. Patent No. 3,891,966 (“Sztankay”).

Claim 23 stands rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Tsuji et al., Samman et al. and U.S. Patent Application Publication No. 2001/0013835 (“Hsu et al.”).

Claim 24 stands rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Tsuji et al., Samman et al. and U.S. Patent Application Publication No. 2002/0082777 (“Halsted et al.”).

A copy of the appealed claims, *i.e.*, claims 13 to 24, 26 and 27, is attached hereto in the Claims Appendix.

4. STATUS OF AMENDMENTS

In response to the Final Office Action dated January 11, 2008, Appellants filed a “Reply Under 37 C.F.R. § 1.116” (“the Reply”) on February 25, 2008. The Reply presented no proposed amendments to the claims.

5. SUMMARY OF CLAIMED SUBJECT MATTER

Independent claim 13 relates to a method for monitoring a blind spot (W1, W2) located at a side of a motor vehicle (F1) to warn a driver of the motor vehicle (F1) that an object (F2) is located in a predetermined warning region (W1, W2) with respect to the motor vehicle (F1) corresponding to the blind spot (W1, W2). *Specification*, page 2, lines 22 to 26; page 3, lines 25 to 27. The method for monitoring a blind spot (W1, W2) comprises: determining a relative speed between the object (F2) and the motor vehicle (F1); *Specification*, page 2, lines 27 to 28; determining a travel direction of the object (F2) relative to the motor vehicle (F1); *Specification*, page 2, lines 28 to 29; determining a position of the object (F2) relative to the motor vehicle (F1); *Specification*, page 2, lines 29 to 30; and warning the driver if: (a) the travel direction of the object (F2) corresponds to a travel

direction of the motor vehicle (F1); (b) the relative speed between the object (F2) and the motor vehicle (F1) is within a predetermined range bounded by a lower range boundary and an upper range boundary, the predetermined range including a zero value; and (c) the position of the object (F2) is within the predetermined warning region (W1, W2); *Specification*, page 2, line 31 to page 3, line 3.

Independent claim 22 relates to a device for monitoring a blind spot (W1, W2) located at a side of a motor vehicle (F1) to warn a driver of the motor vehicle (F1) that an object (F2) is located in a predetermined warning region (W1, W2) relative to the motor vehicle (F1) corresponding to the blind spot (W1, W2). *Specification*, page 6, lines 1 to 2; page 2, lines 22 to 26; page 3, lines 25 to 27. The device for monitoring a blind spot (W1, W2) comprises: a sensor device adapted to monitor the predetermined warning region (W1, W2), the sensor device defining a sensor region that includes the predetermined warning region (W1, W2), the sensor device adapted to determine a travel direction of the object (F2) relative to the motor vehicle (F1), a relative speed between the object (F2) and the motor vehicle (F1) and a position of the object (F2) relative to the motor vehicle (F1); *Specification*, page 6, lines 3 to 7; page 3, lines 24 to 28; and a control unit adapted to evaluate determined data; *Specification*, page 6, lines 7 to 8; and a warning system configured to output a warning signal to the driver as a function of evaluation of the determined data; *Specification*, page 6, lines 8 to 10. The warning system is configured to output the warning signal if: (a) the travel direction of the object (F2) corresponds to a travel direction of the motor vehicle (F1); (b) the relative speed between the object (F2) and the motor vehicle (F1) is within a predetermined range bounded by a lower range boundary and an upper range boundary, the predetermined range including a zero value; and (c) the position of the object (F2) is within the predetermined warning region (W1, W2); *Specification*, page 2, line 31 to page 3, line 3.

Independent claim 27 relates to a device for monitoring a blind spot (W1, W2) located at a side of a motor vehicle (F1) to warn a driver of the motor vehicle (F1) that an object (F2) is located in a predetermined warning region (W1, W2) relative to the motor vehicle (F1) corresponding to the blind spot (W1, W2). *Specification*, page 6, lines 1 to 2; page 2, lines 22 to 26; page 3, lines 25 to 27. The device for monitoring a blind spot (W1, W2) comprises: means for determining a relative speed between the object (F2) and the motor vehicle (F1); *Specification*, page 6, lines 3 to 6; means for determining a travel direction of the object (F2) relative to the motor vehicle (F1); *Specification*, page 15, lines 23 to 24; means for determining a position of the object (F2) relative to the motor vehicle (F1); *Specification*, page 6, lines 3 to 7; and means for warning the driver if: (a) the travel direction

of the object (F2) corresponds to a travel direction of the motor vehicle (F1); (b) the relative speed between the object (F2) and the motor vehicle (F1) is within a predetermined range bounded by a lower range boundary and an upper range boundary, the predetermined range including a zero value; and (c) the position of the object (F2) is within the predetermined warning region (W1, W2); *Specification*, page 3, lines 8 to 10; page 2, line 31 to page 3, line 3.

6. **GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

A. Whether claims 13, 15 to 22, 26 and 27 are patentable under 35 U.S.C. § 103(a) over the combination of Tsuji et al. and Samman et al.

B. Whether claim 14 is patentable under 35 U.S.C. § 103(a) over the combination of Tsuji et al., Samman et al. and Sztankay.

C. Whether claim 23 is patentable under 35 U.S.C. § 103(a) over the combination of Tsuji et al., Samman et al. and Hsu et al.

D. Whether claim 24 is patentable under 35 U.S.C. § 103(a) over the combination of Tsuji et al., Samman et al. and Halsted et al.

7. **ARGUMENTS**

A. **Rejection of Claims 13, 15 to 22, 26 and 27 Under 35 U.S.C. § 103(a)**

Claims 13, 15 to 22, 26 and 27 stand rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Tsuji et al. and Samman et al. It is respectfully submitted that the combination of Tsuji et al. and Samman et al. does not render unpatentable claims 13, 15 to 22, 26 and 27 for at least the following reasons.

Regarding claim 13, **Tsuji et al. do not disclose, or even suggest, warning a driver if, inter alia, a relative speed between an object and a motor vehicle is within a predetermined range bounded by a lower range boundary and an upper range boundary, the predetermined range including a zero value.** Tsuji et al. do describe a vehicle environment monitoring system, which warns a driver of a vehicle when there is a significant probability of the vehicle colliding with an object existing in an external environment of the vehicle. Whether or not there is a significant probability of the vehicle colliding with the object is determined, based on a running speed of the vehicle, the distance between the vehicle and the object and the relative speed of the vehicle and the object. As indicated in paragraph [0090] of Tsuji et al., a number of conditions must be satisfied before a warning is issued to the driver, including:

$$\begin{aligned} &VCAR/2 \leq V_S \leq VCAR \times 3/2; \text{ and} \\ &|VCAR - V_S| \leq VCAR/2, \end{aligned}$$

where VCAR is the speed of the vehicle and V_S is the relative speed of the vehicle and the object in a Z-direction, i.e., direction of travel, of the vehicle (see Fig. 13A). The above conditions of Tsuji et al. define a range, within which relative speed V_S must fall to enable issuance of a warning to the driver, and which varies as a function of vehicle speed VCAR. However, if relative speed V_S is assigned a value of zero, neither of these conditions can ever be satisfied, and thus a warning can never be issued, if vehicle speed VCAR is greater than zero. For example, regarding the first condition listed above, VCAR/2 can never be less than or equal to zero when the vehicle is moving forwards; regarding the second condition listed above, the absolute value of VCAR can never be less than or equal to VCAR/2 when the vehicle is moving forwards.

In the Advisory Action of April 7, 2008, the Examiner appears to allege that the coordinate axes shown in Figure 13 of Tsuji et al. are merely an example and may be reversed such that forward movement of the car may be in the negative Z direction, thereby imparting a negative sign on VCAR, and apparently allowing the above-mentioned conditions to be satisfied and a warning to be issued when relative speed V_S is zero. However, even if VCAR is negative, the above-mentioned conditions of Tsuji et al. still cannot be satisfied when relative speed V_S is zero. For example, regarding the first condition, $VCAR \times 3/2$ can never be greater than or equal to zero when VCAR is negative. Regarding the second condition, the absolute value of VCAR can never be less than or equal to VCAR/2 when VCAR is negative. Thus, whenever the vehicle in Tsuji et al. is moving, the above-mentioned conditions can never be satisfied when the relative speed V_S of the vehicle and an object is zero. Furthermore, when any of the conditions listed in paragraph [0090] of Tsuji et al. are not satisfied, then, as indicated in Figure 4, a warning determination process is terminated at step (S41), and a warning that would have been issued in step (S45) is never issued. **Therefore, Tsuji et al. do not disclose or suggest any range, within which relative speed V_S must fall for issuance of a warning, and which includes a value of zero.**

Samman et al. describe a blind spot monitoring system that provides a visual image of a vehicle's blind spot when an object deemed to be a hazard enters the blind spot. However, Samman et al. do not cure the deficiencies of Tsuji et al. with respect to the feature of warning a driver if, inter alia, a relative speed between an object and a motor vehicle is within a predetermined range bounded by a lower range boundary and an upper range boundary, the predetermined range including a zero value. Samman et al. merely provide an

image or a highlighted image of the object when the object is discovered to be in the blind spot.

Moreover, Tsuji et al. teach away from the proposed combination with Samman et al. In this regard, the system of Tsuji et al. only includes cameras mounted at the front of a car (see Fig. 2), not at the sides of a car, and is thus concerned with sensing objects in front of the car, and not in the blind spots. In addition, as indicated by the conditions listed in paragraph [0090], and as is apparent from the discussion in paragraph [0010], the system of Tsuji et al. only emits a warning when a sensed object is moving slowly or standing still, and Tsuji et al. consider it unnecessary to issue a warning when the vehicle is approaching another vehicle running in the opposite lane or running ahead in the same lane. Hence, the system of Tsuji et al. would neither issue, nor consider it necessary to issue, a warning to the driver in response to a second vehicle's entering a blind spot of the first vehicle, and particularly not at the same or a similar rate of speed. Furthermore, in order to modify the system of Tsuji et al. as per Samman et al. to warn the driver of entry of objects traveling at similar speeds to a vehicle into the blind spot(s) of the vehicle, the conditions listed in paragraph [0090] of Tsuji et al., and thus the method of functioning of the system of Tsuji et al., would have to be changed. Accordingly, it is improper to make the proposed combination in an effort to establish obviousness of the present claims. In re Grasselli, 713 F.2d 731, 743, 218 U.S.P.Q. 769, 779 (Fed. Cir. 1983).

In addition, the Final Office Action fails to adequately set forth an adequate rationale in support of the present rejection consistent with the Supreme Court's decision of KSR International Co. v. Teleflex Inc., 550 U.S. ___, 82 U.S.P.Q.2d 1385 (2007) and consistent with the examination guidelines as set forth in M.P.E.P. § 2141. Rather, the Final Office Action merely -- and conclusorily -- alleges at page 5 that "[i]t would have been obvious for one of ordinary skill at the time of the invention to incorporate the monitoring system of Samman in into [sic] Tsuji for purpose of monitoring blind spot [sic]." As stated in the examination guidelines, "[t]he key to supporting any rejection under 35 U.S.C. 102 is the clear articulation of the reason(s) why the claimed invention would have been obvious." M.P.E.P. § 2141(III). As reiterated by the Supreme Court, "rejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." KSR, 550 at ___, 82 U.S.P.Q.2d at 1396 (quoting In re Kahn, 441 F.3d 977, 988, 78 U.S.P.Q.2d 1329, 1336 (Fed. Cir. 2006)).

The examination guidelines set forth seven exemplary rationales that may support a conclusion of obviousness along with the findings that must be articulated to rely on each rationale. *See*, M.P.E.P. § 2143. Despite this guidance, no Office Action to date has identified which, if any, of the seven rationales is relied upon, and all of the Office Actions to date have failed to articulate the findings that are identified in the examination guidelines as being necessary to rely on the enumerated rationales. Thus, the Office Actions to date have apparently relied on nothing more than conclusory statements, which is entirely improper and inconsistent with KSR and with the examination guidelines.

Accordingly, in light of all of the foregoing, it is respectfully submitted that the combination of Tsuji et al. and Samman et al. does not render unpatentable claim 13 for at least these reasons.

Claims 22 and 27 include features analogous to those of claim 13, and are therefore allowable for at least the reasons set forth above in support of the patentability of claim 13.

As for claims 15 to 21 and claim 26, which ultimately depend from claims 13 and 22, respectively, and therefore include all of the features of claims 13 and 22, respectively, it is respectfully submitted that the combination of Tsuji et al. and Samman et al. does not render unpatentable these dependent claims for at least the reasons set forth above.

In view of all of the foregoing, it is respectfully submitted that the combination of Tsuji et al. and Samman et al. does not render unpatentable claims 13, 15 to 22, 26 and 27. Accordingly, reversal of this rejection is respectfully requested.

B. Rejection of Claim 14 Under 35 U.S.C. § 103(a)

Claim 14 stands rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Tsuji et al., Samman et al. and Sztankay. It is respectfully submitted that the combination of Tsuji et al., Samman et al. and Sztankay does not render unpatentable claim 14 for at least the following reasons.

Claim 14 depends from claim 13 and therefore includes all of the features of claim 13. As mentioned above, the combination of Tsuji et al. and Samman et al. does not disclose or suggest all of the features of claim 13. In addition, Sztankay is not relied upon for disclosing or suggesting, nor does Sztankay disclose or suggest, the features of claim 13 not disclosed or suggested by the combination of Tsuji et al. and Samman et al. Accordingly, it

is respectfully submitted that the combination of Tsuji et al., Samman et al. and Sztankay does not render unpatentable claim 14 for at least these reasons.

In view of all of the foregoing, reversal of this rejection is respectfully requested.

C. Rejection of Claim 23 Under 35 U.S.C. § 103(a)

Claim 23 stands rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Tsuji et al., Samman et al. and Hsu et al. It is respectfully submitted that the combination of Tsuji et al., Samman et al. and Hsu et al. does not render unpatentable claim 23 for at least the following reasons.

Claim 23 depends from claim 22 and therefore includes all of the features of claim 22. As mentioned above, the combination of Tsuji et al. and Samman et al. does not disclose or suggest all of the features of claim 22. In addition, Hsu et al. are not relied upon for disclosing or suggesting, nor do Hsu et al. disclose or suggest, the features of claim 22 not disclosed or suggested by the combination of Tsuji et al. and Samman et al. Accordingly, it is respectfully submitted that the combination of Tsuji et al., Samman et al. and Hsu et al. does not render unpatentable claim 23 for at least these reasons.

In view of all of the foregoing, reversal of this rejection is respectfully requested.

D. Rejection of Claim 24 Under 35 U.S.C. § 103(a)

Claim 24 stands rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Tsuji et al., Samman et al. and Halsted et al. It is respectfully submitted that the combination of Tsuji et al., Samman et al. and Halsted et al. does not render unpatentable claim 24 for at least the following reasons.

Claim 24 depends from claim 22 and therefore includes all of the features of claim 22. As mentioned above, the combination of Tsuji et al. and Samman et al. does not disclose or suggest all of the features of claim 22. In addition, Halsted et al. are not relied upon for disclosing or suggesting, nor do Halsted et al. disclose or suggest, the features of claim 22 not disclosed or suggested by the combination of Tsuji et al. and Samman et al. Accordingly, it is respectfully submitted that the combination of Tsuji et al., Samman et al. and Halsted et al. does not render unpatentable claim 24 for at least these reasons.

In view of all of the foregoing, reversal of this rejection is respectfully requested.

8. CLAIMS APPENDIX

A “Claims Appendix” is attached hereto and appears on the three (3) pages numbered “Claims Appendix.”

9. EVIDENCE APPENDIX

No evidence has been submitted pursuant to 37 C.F.R. §§ 1.130, 1.131 or 1.132. No other evidence has been entered by the Examiner or relied upon by Appellants in the appeal. An “Evidence Appendix” is nevertheless attached hereto and appears on the one (1) page numbered “Evidence Appendix.”

10. RELATED PROCEEDINGS APPENDIX

As indicated above in Section 2, above, “[t]here are no other prior or pending appeals, interferences or judicial proceedings known by the undersigned, or believed by the undersigned to be known to Appellants or the assignee, VOLKSWAGEN AG, ‘which may be related to, directly affect or be directly affected by or have a bearing on the Board’s decision in the pending appeal.’” As such, there are no “decisions rendered by a court or the Board in any proceeding identified pursuant to [37 C.F.R. § 41.37(c)(1)(ii)]” to be submitted. A “Related Proceedings Appendix” is nevertheless attached hereto and appears on the one (1) page numbered “Related Proceedings Appendix.”

11. CONCLUSION

For at least the reasons indicated above, Appellants respectfully submit that the art of record does not disclose or suggest the subject matter as recited in the claims of the above-identified application. Accordingly, it is respectfully submitted that the subject matter as set forth in the claims of the present application is patentable.

In view of all of the foregoing, reversal of all of the rejections set forth in the Final Office Action is therefore respectfully requested.

Respectfully submitted,

Dated: September 30, 2008

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CLAIMS APPENDIX

13. A method for monitoring a blind spot located at a side of a motor vehicle to warn a driver of the motor vehicle that an object is located in a predetermined warning region with respect to the motor vehicle corresponding to the blind spot, comprising:

determining a relative speed between the object and the motor vehicle;
determining a travel direction of the object relative to the motor vehicle;
determining a position of the object relative to the motor vehicle; and

warning the driver if: (a) the travel direction of the object corresponds to a travel direction of the motor vehicle; (b) the relative speed between the object and the motor vehicle is within a predetermined range bounded by a lower range boundary and an upper range boundary, the predetermined range including a zero value; and (c) the position of the object is within the predetermined warning region.

14. The method according to claim 13, further comprising generating a warning if the relative speed is greater than the upper range boundary.

15. The method according to claim 13, wherein the upper range boundary and the lower range boundary are functions of an initial speed of the motor vehicle.

16. The method according to claim 13, wherein the warning is independent of a direction of entry of the object into the predetermined warning region and is independent of a direction of exit of the object from the predetermined warning region.

17. The method according to claim 13, wherein the warning is independent of a background of the object that enters the predetermined warning region and is independent of standing objects, an alignment of standing objects and a background of the standing objects.

18. The method according to claim 13, further comprising:
classifying driving situations, each classified driving situation including information as to whether the warning be performed if an object enters the predetermined warning region;
determining a current driving situation of the motor vehicle and the object;
ascertaining the classified driving situation that corresponds to the current driving situation; and

activating a warning function that corresponds to the classified driving situation ascertained in the ascertaining step.

19. The method according to claim 18, wherein the driving situations classified in the classifying step include information relating to two lanes lateral to a lane of the motor vehicle.

20. The method according to claim 13, wherein the determining steps are performed in relation to two sides of the motor vehicle.

21. The method according to claim 13, further comprising one of (a) recording and (b) calculating an angle as an input variable for the warning in a travel plane of the motor vehicle substantially corresponding to the travel direction of the motor vehicle and a straight line that spans a sensor apparatus adapted to monitor the predetermined warning region and the object.

22. A device for monitoring a blind spot located at a side of a motor vehicle to warn a driver of the motor vehicle that an object is located in a predetermined warning region relative to the motor vehicle corresponding to the blind spot, comprising:

- a sensor device adapted to monitor the predetermined warning region, the sensor device defining a sensor region that includes the predetermined warning region, the sensor device adapted to determine a travel direction of the object relative to the motor vehicle, a relative speed between the object and the motor vehicle and a position of the object relative to the motor vehicle; and

- a control unit adapted to evaluate determined data; and

- a warning system configured to output a warning signal to the driver as a function of evaluation of the determined data;

wherein the warning system is configured to output the warning signal if: (a) the travel direction of the object corresponds to a travel direction of the motor vehicle; (b) the relative speed between the object and the motor vehicle is within a predetermined range bounded by a lower range boundary and an upper range boundary, the predetermined range including a zero value; and (c) the position of the object is within the predetermined warning region.

23. The device according to claim 22, wherein the control unit includes a memory adapted to store classified driving conditions and a comparator adapted to compare a current driving condition, ascertained by the control unit from the data of the sensor device, to the classified driving conditions.

24. The device according to claim 22, wherein the sensor device is arranged one of (a) in side mirror of the motor vehicle, (b) in a rear bumper of the motor vehicle, (c) in an outer mirror of the motor vehicle and (d) in a rear light of the motor vehicle.

26. The device according to claim 22, further comprising means for performing a method, including:

- determining the relative speed between the object and the motor vehicle;
- determining the travel direction of the object relative to the motor vehicle;
- determining the position of the object relative to the motor vehicle; and

- warning the driver if: (a) the travel direction of the object corresponds to a travel direction of the motor vehicle; (b) the relative speed between the object and the motor vehicle is within a predetermined range bounded by a lower range boundary and an upper range boundary, the predetermined range including a zero value; and (c) the position of the object is within the warning region.

27. A device for monitoring a blind spot located at a side of a motor vehicle to warn a driver of the motor vehicle that an object is located in a predetermined warning region relative to the motor vehicle corresponding to the blind spot, comprising:

- means for determining a relative speed between the object and the motor vehicle;
- means for determining a travel direction of the object relative to the motor vehicle;
- means for determining a position of the object relative to the motor vehicle; and

- means for warning the driver if: (a) the travel direction of the object corresponds to a travel direction of the motor vehicle; (b) the relative speed between the object and the motor vehicle is within a predetermined range bounded by a lower range boundary and an upper range boundary, the predetermined range including a zero value; and (c) the position of the object is within the predetermined warning region.

EVIDENCE APPENDIX

No evidence has been submitted pursuant to 37 C.F.R. §§1.130, 1.131, or 1.132. No other evidence has been entered by the Examiner or relied upon by Appellants in the appeal.

RELATED PROCEEDINGS APPENDIX

As indicated above in Section 2 of this Appeal Brief, “[t]here are no other prior or pending appeals, interferences or judicial proceedings known by the undersigned, or believed by the undersigned to be known to Appellants or the assignee, VOLKSWAGEN AG, ‘which may be related to, directly affect or be directly affected by or have a bearing on the Board’s decision in the pending appeal.’” As such, there are no “decisions rendered by a court or the Board in any proceeding identified pursuant to [37 C.F.R. § 41.37(c)(1)(ii)]” to be submitted.